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December 11, 2020

Via ECF

Hon. Arlene Lindsay
United States Magistrate Judge
100 Federal Plaza
Central Islip, NY 11722

Re: Volpe v. Ryder, 19-cv-02236 (JMA)(ARL)

Dear Judge Lindsay,

We represent Plaintiffs in the above-referenced matter. We respectfully request an extension of time, until January 8, 2021, to propose a schedule moving forward to the Court. Plaintiffs also respectfully request that the current discovery stay remain in effect until January 8, 2021. Plaintiffs have conferred with Defendants and they consent to both requests.

The PBA needs additional time to go through its institutional protocols to decide whether it will replead its First Amendment claim. Judge Azrack dismissed the PBA's only claim in this case, but granted leave to replead. ECF No. 70. Any decision as to whether to reenter the case must be reviewed and approved by the PBA board. Plaintiffs had hoped a decision could be made within two weeks, but the PBA is currently in the midst of an all-consuming year-end collective bargaining negotiation that has prevented it from devoting the necessary time to make this decision.

Plaintiffs therefore request, with Defendants' consent, that the deadline for proposing a new schedule be extended until January 8, 2021, and that the current discovery stay remain in effect until then.

Respectfully Submitted,

/s/
Richard D. Emery
Samuel Shapiro

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c.